

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

DIXIE ELLEN RANDOCK,
STEVEN KARL RANDOCK, SR.,
AMY LEANN HENSLEY,
HEIDI KAE LORHAN,
ROBERTA LYNN MARKISHTUM,

Defendants.

NO. CR-05-180-LRS

**ORDER DENYING MOTION FOR
RECONSIDERATION**

BEFORE THE COURT is the government's February 8, 2007 motion for reconsideration (**Ct. Rec. 270**) of this Court's January 3, 2007 order (Ct. Rec. 265.)

The government asks this Court to reconsider the following portion of its January 3, 2007 order:

"3. Defendants' Motion to Inspect Original Hard Drive (**Ct. Rec. 249**) is **GRANTED**. The original hard drives should be made available. The parties shall confer about a protective order concerning such information and the process for inspecting the original hard drives. The Court notes that this order does not apply to any child pornography allegedly on the hard drives."

Ct. Rec. 265 at 6.

1 The government argues that the order gives "the defense blanket
2 access to all computer hard drives now in or which may come into, the
3 possession, custody, and control of the government for inspection and
4 copying." Ct. Rec. 270 at 1.

5 However, as the Defendants correctly point out that "part of the
6 inspection process will be to verify that the EnCase copies are true and
7 correct copies of the native hard drives." Ct. Rec. 277 at 2. This Court
8 is confident that such a process can be accomplished without compromising
9 the integrity of the hard drives in question. Any protocol for inspection
10 should include write blocking hardware. The Defendants agree to this
11 procedure. The government has the right to be present and participate in
12 the inspection process to ensure that no changes to the hard drives
13 occur. Government oversight should, however, be arranged in a manner
14 which will not involve intrusion into Defendants' work product.
15

16 The parties should meet and confer about any unresolved details
17 concerning the inspection process. If an agreement cannot be reached,
18 either party may file a motion for expedited review before this Court.
19 The Court commends the parties for their continued cooperation during the
20 discovery phase of this complex case.

21 For the reasons explained above, the government's motion for
22 reconsideration (Ct. Rec. 270) is **DENIED**.
23
24
25
26

1 **IT IS SO ORDERED.** The District Court Executive is directed to
2 enter this order and to provide copies to all counsel.

3 **DATED** this 3rd day of April, 2007.

4
5 /s/ **Lonny R. Suko**

6 _____
7 LONNY R. SUKO
8 United States District Judge
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26